

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 02, 2023**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Derrick Emmit Harris

Case Number: 0980 2:18CR00212-RMP-2

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Date of Original Sentence: October 30, 2019

Original Offense: Distribution of a Mixture of Substance Containing Fentanyl, 21 U.S.C. § 841(a)(1),
(b)(1)(C)

Original Sentence: Probation - 60 months Type of Supervision: Supervised Release

Revocation Sentence: Prison - 12 months and 1 day
(December 8, 2022) TSR - 36 months

Asst. U.S. Attorney: Caitlin A. Baunsgard Date Supervision Commenced: September 8, 2023

Defense Attorney: Kathryn Patricia Lucido Date Supervision Expires: September 7, 2026

PETITIONING THE COURTTo issue a **warrant**.

On September 12, 2023, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Harris, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	Special Condition #2: You must reside in a residential reentry center (RRC) for a period up to 180 days at the direction of the supervising officer. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services at the direction of the supervising officer. The defendant shall abide by the rules and requirements of the facility.
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Supporting Evidence: Between October 13 and October 23, 2023, Derrick Harris allegedly violated special condition number 2 by returning to the RRC late on six different occasions, which is prohibited by the facility's rules and requirements.

On October 22, 2023, the offender sent this officer a text message claiming he had "an urgent matter regarding (his) job." In that text message, Mr. Harris was clearly aware of the facility rules when he stated that "the rules say you can't be out of the RRC more than 12

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hours at a time;” it should be noted that rule is established by the Bureau of Prisons (BOP), the agency that oversees the operation of the RRC. The offender then stated he has “been late back to the RRC on the weekends because of the super slow bus schedule,” before claiming that the assistant director of the RRC was insisting that he quit his job.

On October 24, 2023, this officer contacted the RRC and spoke with the assistant director. During that conversation, she stated Mr. Harris had requested 16 hours of leave each day to go to work, which is both excessive and prohibited by the facility rules. Additionally, the undersigned was informed that between October 13 and October 23, 2023, the offender had returned late to the RRC on six different occasions; on most occasions, Mr. Harris was approximately an hour late, and it was not just on the weekends.

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Special Condition #2: You must reside in a residential reentry center (RRC) for a period up to 180 days at the direction of the supervising officer. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services at the direction of the supervising officer. The defendant shall abide by the rules and requirements of the facility.

Supporting Evidence: On October 26, 2023, Derrick Harris allegedly violated special condition number 2 by violating the RRC’s cell phone agreement and being insolent, which is prohibited by the facility’s rules and requirements.

On October 26, 2023, Mr. Harris was subject to a random inspection of his cell phone upon his return to the RRC. During that inspection, he was found to have the following applications: Facebook, Instagram, xvideos.com, casino jackpot slots, coinbase, Plenty of Fish, Ashley Madison, cammate.com, snpbride.us, taptochat, juicylocalgirls, xcheaters.com, zoosk, onlinedatinglife, spiceywives, and hornybuttonlonely. Because social media and pornography are prohibited by the facility’s cell phone agreement, the offender’s cell phone was confiscated.

According to the information received from the RRC, the offender became verbally upset and began to loudly say that “staff don’t give a fuck about his life, so why should he give a fuck about us and our rules.” He then referred to the staff member as a “miserable person.”

After being written up for insolence, the offender reportedly returned to the staff member and stated that if they thought his behavior was insolent, they were “all going to see the real Derrick now.”

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Special Condition #2: You must reside in a residential reentry center (RRC) for a period up to 180 days at the direction of the supervising officer. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services at the direction of the supervising officer. The defendant shall abide by the rules and requirements of the facility.

Supporting Evidence: On November 1, 2023, Derrick Harris allegedly violated special condition number 2 by having his placement at the RRC terminated due to ongoing noncompliance with the facility rules and requirements.

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On November 1, 2023, this officer was contacted by the assistant director of the RRC. Citing ongoing noncompliance, to include insolent and intimidating behavior, it had been decided that Mr. Harris could no longer reside at the facility.

The U.S. Probation Office respectfully recommends the Court issue a **warrant** requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

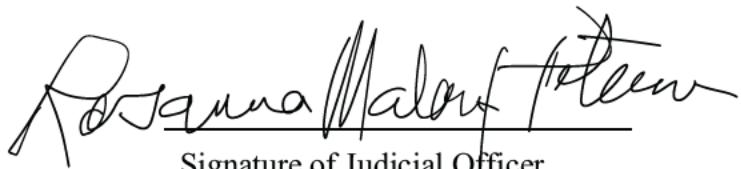
Executed on: 11/02/2023

s/Amer M.K. Andrade

Amber M.K. Andrade
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

11/02/2023

Date